



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

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November 14, 2019

**BY ECF**

The Honorable Pamela K. Chen  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Kendra Harris v. P.O. Lewis, et al.  
16 CV 1214 (PKC) (JO)

Your Honor:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney for defendants in the above referenced matter. I write on behalf of all parties to inform the Court that the parties have reached a settlement in principal, provided that the Court waive its June 26, 2019 Order regarding assessing jury fees against the parties. Counsel for plaintiff, Robert Marinelli, Esq., and Gregory Zenon, Esq., join in this request.

As Your Honor is aware, the trial of this matter is currently scheduled to commence on November 18, 2019. Pursuant to the Court's June 26, 2019 Order, the Court notified the parties that should the case settle after November 13, 2019, jury fees would be assessed against the parties. (See Court's Docket Text dated June 26, 2019.) Despite numerous attempts previously, the parties were unable to reach a settlement agreement prior to the Court's November 13, 2019 deadline. Following the Court's November 14, 2019 Order permitting defendants to amend the Joint Pretrial Order, however, the parties conferred again and plaintiff reduced her settlement demand. In response, defendants increased their settlement offer, and ultimately the parties were able to reach a settlement agreement. This settlement agreement, however, does not account for the assessment of jury fees against the parties. Accordingly, the parties respectfully request that the Court reconsider its June 26, 2019 Order, and waive the jury fees in this matter.

The parties thank the Court for its time and consideration of this request.

Respectfully submitted,



Nakul Y. Shah  
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cc: Robert Marinelli, *Attorney for Plaintiff*  
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